

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**LAMAR ADAMS**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO. 3:06CV127WA**

**PLEKO SOUTHEAST CORPORATION;  
PLEKO PRODUCTS, INC.; FAR HOLDINGS,  
L.L.C.; FAR HOLDINGS COMPANY, L.L.C.;  
PPI INTERNATIONAL, LTD; THE ROBERTS  
GROUP, INC.; ROBERTS ASSOCIATES, INC.;  
MERLE E. ROBERTS; DOROTHY B. ROBERTS;  
BYRD & COOK WALL AND STRUCTURE  
COATINGS, INC.; CENTENNIAL INSURANCE  
COMPANY; TRANSCONTINENTAL INSURANCE  
COMPANY; CONTINENTAL CASUALTY  
COMPANY; AMERICAN EMPLOYERS COMPANY,  
a/k/a One Beacon Insurance Company and ST. PAUL  
FIRE AND MARINE INSURANCE COMPANY**

**DEFENDANTS**

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**ORDER**

This matter came before the court on a review of the docket, which indicated that a Motion to Extend the Time for Service of Summons and Complaint had been filed by the Plaintiff on May 18, 2006, but remains pending. That Motion was filed after Magistrate Judge Sumner, who was formerly assigned to this case, had stayed the case pending resolution of the Plaintiff's Motion to Remand. The Defendants have not responded to this Motion, likely because the case is stayed.

If the District Judge determines that remand is appropriate, then the entry of an order permitting late service of process would have no effect, as the court would not have had jurisdiction to enter such an order. For this reason, the undersigned is of the opinion that the Motion should be denied at this time. This denial is without prejudice to the Plaintiff's right to re-urge his request in this court, should the Motion to Remand be denied.

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion to Extend the Time for Service of Summons and Complaint is hereby **denied**.

IT IS SO ORDERED, this the 22<sup>nd</sup> day of February, 2007.

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S/Linda R. Anderson  
UNITED STATES MAGISTRATE JUDGE